



Ministry of the Environment

Clear Form

Print Form

Notice under Section 21.1 of Ontario Regulation 153/04

Ce formulaire est disponible en français

Personal information requested on this form is collected under the authority of Ontario Regulation 153/04. Information will be used to document this notice under section 21.1 of Ontario Regulation 153/04, which permits an owner of property to submit a Record of Site Condition (RSC) for filing for all or part of the property described in this notice using the "March 9, 2004 Soil, Ground Water and Sediment Standards" after July 1, 2011 and before January 1, 2013. Questions about this collection should be directed to the Information Unit Supervisor, Environmental Assessment and Approvals Branch, by e-mail at EAABGen@ontario.ca or by telephone at 1-800-461-6290 (or in Toronto at 416-314-8001).

This form is used to provide notice to the Director under section 21.1 of Ontario Regulation 153/04 that an owner of property wishes to submit a RSC for filing using the "March 9, 2004 Soil, Ground Water and Sediment Standards" after July 1, 2011 and before January 1, 2013. This form must be submitted via email to the Ministry of the Environment (the Ministry) between July 1, 2010 and December 31, 2010 in order for an owner to be eligible to submit a RSC for filing using the "March 9, 2004 Soil, Ground Water and Sediment Standards" after July 1, 2011 and before January 1, 2013. The Ministry will send an acknowledgement that this notice has been received to the owner.

When submitting a RSC for filing after July 1, 2011 but before January 1, 2013 using the "March 9, 2004 Soil, Ground Water and Sediment Standards," a copy of this completed notice form and a copy of the acknowledgement sent by the Ministry must be attached.

Information about the Property

Address (*Street Number and Name – if available*)

City or Town

UTM Coordinates of the centroid of the RSC property, measured using a Global Positioning System

Zone
NAD83

Northing

Easting

- ☐ A copy of the deed(s), transfer(s) or other document(s) by which the property was acquired by the owner is attached.
- ☐ A plan of survey of the property, prepared, signed and sealed by a surveyor, is attached.

Information about the Owner (*please print*)

Owner's Name, where owner is an individual

First Name

Middle Name / Initial

Last Name

Firm, Company or Partnership Name, where the owner is not an individual

Name of person who is authorized to sign for the owner, where the owner is not an individual

First Name

Middle Name / Initial

Last Name

Owner's Address

Street Number and Name

City or Town

Province

Postal Code

Telephone Number (*including area code*)
ext.

Fax Number (*if any*)

Email Address (*if any*)

Print Form

Owner's Certifications

- ☐ I am the owner of this property, or
☐ I am authorized to sign for the owner of this property.

(select one or both of the following, as applicable)

- ☐ A risk assessment with respect to a contaminant at the property has been submitted to the Ministry.
Risk Assessment Number: _____ Date of Submission (yyyy/mm/dd): _____
- ☐ Action to reduce the concentration of a contaminant on, in or under the property in order to meet a standard specified in a risk assessment accepted by the Director for the contaminant with respect to the property or, where none exists, the applicable site condition standard for the contaminant, has begun.

I certify that the information provided in this form is true and accurate.

Signature _____

Date (yyyy/mm/dd) _____

Qualified Person's Information (must be a 'Qualified Person' as defined in s. 5 of O. Reg. 153/04)

First Name _____

Middle Name / Initial _____

Last Name _____

Company Name (if any) _____

Professional Affiliation(s) (i.e. PEO and/or APGO) _____

Membership Number: _____

Qualified Person's Certifications

- ☐ A phase one environmental site assessment of the property, which includes the evaluation of the information gathered from a records review, site visit and interviews, has been conducted in accordance with the regulation by or under the supervision of a qualified person as required by the regulation.

Phase One Environmental Site Assessment Details

Title of Phase One Environmental Site Assessment Report: _____

Report Date: _____

I certify that the information provided in this form is true and accurate.

Signature _____

Date (yyyy/mm/dd) _____

Instructions for preparing your electronic submission:

1. Complete and print this form;
2. Sign the form;
3. Scan and produce a PDF copy of:
 - a. The signed form;
 - b. A copy of the deed(s), transfer(s), or other document(s) by which the property was acquired by the owner; and,
 - c. A copy of a plan of survey showing the property, prepared, signed and sealed by a surveyor.
4. Submit your signed form and all other supporting information by email to: Reg153Notice@ontario.ca.

Please ensure that all submitted documents are legible and in PDF format, readable by Adobe Acrobat Reader® or other similar software. Questions about this form should be directed to Brownfields Filing and Review, Environmental Assessment and Approvals Branch by email to EAABGen@ontario.ca or by telephone, outside Toronto 1-800-461-6290 or in Toronto 416-314-8001.

Print Form

Information on Submitting a Notice under Section 21.1 of O. Reg. 153/04

Section 21.1 of the amended Regulation 153/04 takes effect on July 1, 2010. This section sets out requirements to allow an owner of property to use the "March 9, 2004 Soil, Ground Water and Sediment Standards" ("2004 standards") and associated provisions of the current regulation in certain circumstances after July 1, 2011.

If the owner meets the requirements of section 21.1, and the owner wishes to use the 2004 standards and is submitting a record of site condition for filing after July 1, 2011 but before January 1, 2013, the section allows the continued use of the 2004 standards and the associated provisions referenced in section 21.1.

In order for an owner to be eligible to do this, a **Notice** (see the form "Notice under Section 21.1 of Ontario Regulation 153/04) **must be completed and submitted** via email to the Ministry of Environment (the Ministry) **between July 1, 2010 and December 31, 2010** along with the necessary supporting documents.

Notices are to be emailed to: Reg153Notice@ontario.ca

The Ministry will send an acknowledgement that the *Notice* has been received to the owner.

In the *Notice*, the owner of the property must, among other things:

- certify that remediation has begun, or
- certify that a risk assessment, which has received a risk assessment number, has been submitted to the ministry, or
- certify both, and
- ensure a Qualified Person certifies that a Phase One ESA has been completed.

When submitting the *Notice* to the Ministry, the following supporting documents are to be attached to the email as PDF files:

1. a copy of the deed(s), transfer(s) or other document(s) by which the property was acquired by the owner and;
2. a copy of a plan of survey prepared, signed and sealed by a surveyor showing the property.

Section 21.1 permits only the use of the 2004 standards and the associated provisions referred to in the section. In all other respects, a record of site condition submitted after July 1, 2011 must meet the requirements of O. Reg. 153/04, as amended by O. Reg. 511/09, including the requirements which come into effect on July 1, 2011, such as new requirements for environmental site assessments.

Section 21.1 requires that when you are submitting a record of site condition for filing after July 1, 2011 and before January 1, 2013, and wish to use the 2004 standards, a copy of the completed *Notice* and of the acknowledgement sent by the Ministry must be attached.

Important Reminder: If an owner of property wishes to take advantage of Section 21.1, the completed *Notice* must be sent to the Ministry between July 1, 2010 and December 31, 2010.

The regulation O. Reg.153/04 (Records of Site Condition - Part XV.1 of the Act), made under the Environmental Protection Act, is available at www.e-laws.gov.on.ca.

Additional information is also available on the Brownfields Ontario website:
www.ontario.ca/brownfields.

NOTE: This information note contains general information only and should not be relied on as advice of any kind. Readers are advised to review the regulation and obtain legal advice.